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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,100	10/12/2000	Carl Phillip Gusler	AUS9-2000-0401-US1	9974

35525 7590 10/08/2004

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EXAMINER

HOFFMAN, BRANDON S

ART UNIT PAPER NUMBER

2136

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/687,100

Applicant(s)

GUSLER ET AL.

Examiner

Brandon Hoffman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8 and 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. Claims 1, 3-8, and 10-15 are pending in this office action, claims 2 and 9 being cancelled.
2. Applicant's arguments filed July 9, 2004, have been fully considered but they are not persuasive.

Rejections

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 1, 2-8, and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (U.S. Patent No. 5,678,041) in view of Epstein et al. (U.S. Patent No. 6,684,329).

Regarding claims 1, 8, and 15, Baker et al. teaches a method/system/computer program product in a computer readable medium for use in a data processing system for filtering incoming data from an external computer network, the method/system/computer program product comprising:

- A firewall that is coupled to said external computer network (fig. 1, ref. num 113);

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- A server computer system coupled to an internal computer network (fig. 1, ref. num 112);
- A plurality of clients that are coupled to said server computer system, said plurality of clients being unable to access said external computer network directly (fig. 1, ref. num 107-109);
- Receiving, at said firewall, a document from said external computer network (col. 6, lines 8-12);
- Determining, by said firewall, whether said document is from a known blocked site (col. 6, lines 20-23);
- In response to determining that said document is from a known blocked site, blocking, by said firewall, said document without scanning said document (col. 6, lines 20-23);
- Determining, by said firewall, whether said document is from a know safe site (col. 6, lines 13-20);
- In response to determining that said document is from a known safe site, forwarding, by said firewall, said document without scanning said document, all of said plurality of clients being permitted to access said forwarded document (col. 6, lines 13-20);
- In response to determining that said document is not from a known blocked site or a know safe site, scanning, by said firewall, text fields included in said document for pre-selected keywords (col. 2, lines 41-46);

- Blocking, by said firewall, the document if any of said text fields include content that contains pre-selected keywords (col. 2, lines 41-46);
- Said server computer system being prohibited from receiving said document in response to said document being blocked (col. 6, lines 20-23); and
- Indicating that a site that sent said document is a known blocked site by adding, by said firewall, the address of said site to a filtering table (col. 5, lines 49-55).

Baker et al. does not teach the firewall performing the tasks, but instead a proxy server.

Epstein et al. teaches that a proxy server and a firewall are one in the same (col. 3, lines 62-64).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine a proxy server acting as a firewall, as taught by Epstein et al., to the method/system/computer program of Baker et al. It would have been obvious for such modifications because proxy servers and firewalls are considered one in the same, therefore are interchangeable in use with networks.

Regarding claims 3 and 10, the combination of Baker et al. in view of Epstein et al. teaches wherein the document is allowed to pass per standard service rules if the content does not contain pre-selected keywords (see col. 2, lines 41-46 of Baker et al.).

Regarding claims 4 and 11, the combination of Baker et al. in view of Epstein et al. teaches further comprising storing an indication in said filtering table of each known safe site that can be passed per standard service rules without having to be scanned for pre-selected keywords (see col. 5, lines 45-49 of Baker et al.).

Regarding claims 5 and 12, the combination of Baker et al. in view of Epstein et al. teaches wherein the step of indicating that a site that sent said document is a known blocked site by adding, by said firewall, the address of a site to a filtering table further comprises adding the address of the site to a "known-block" table when said site has sent a document that includes said pre-selected keywords so that the site will be blocked in the future without having its contents scanned for pre-selected keywords (see col. 5, lines 49-55 of Baker et al.).

Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (USPN '041) in view of Epstein et al. (USPN '329), and further in view of Bauer et al. (U.S. Patent No. 6,662,241).

Regarding claims 6 and 13, Baker et al./Epstein et al. teaches all the limitations of claims 1 and 8, respectively, above. However, Baker et al./Epstein et al. does not teach wherein the instructions for addition of a site to the filtering table are implemented in a strong text parsing language.

Bauer et al. teaches wherein the instructions for addition of a site to the filtering table are implemented in a strong text parsing language (col. 1, lines 11-25).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the instructions for addition of a site to the filtering table are implemented in a strong text parsing language, as taught by Bauer et al., to the method/system/computer program of Baker et al./Epstein et al. It would have been obvious to one of ordinary skill in the art to combine the instructions for addition of a site to the filtering table are implemented in a strong text parsing language, as taught by Bauer et al., to the method/system/computer program of Baker et al./Epstein et al. because strong text parsing languages, such as Perl, are often used in web page development and are not machine dependent. This means that the addition to the filtering table can be performed on any platform.

Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (USPN '041) in view of Epstein et al. (USPN '021), and further in view of Webopedia (<http://www.webopedia.com/TERM/C/cron.html>).

Regarding claims 7 and 14, Baker et al./Epstein et al. teaches all the limitations of claims 1 and 8, respectively, above. However, Baker et al./Epstein et al. does not teach teaches wherein the instance of the filter is periodically refreshed through a timed

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job on a Windows NT platform, a cron job on a UNIX platform, to enact the updated filtering tables.

Webopedia teaches wherein the instance of the filter is periodically refreshed through a timed job on a Windows NT platform, a cron job on a UNIX platform, to enact the updated filtering tables (definition of 'CRON').

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the instance of the filter is periodically refreshed, as taught by Webopedia, to the method/system/computer program of Baker et al./Epstein et al. It would have been obvious to one of ordinary skill in the art to combine the instance of the filter is periodically refreshed, as taught by Webopedia, to the method/system/computer program of Baker et al./Epstein et al. because periodically updating the blocked/enabled table of sites keeps track of the never ending change of the Internet. If updates were not performed, a site that was once blocked will never have the chance to be seen; the same goes for allowed sites.

Response to Arguments

5. Applicant amends claims 1, 3-5, 8, 10-12, and 15 and cancels claims 2 and 9.
6. Applicant argues:

- a. Baker does not teach **the firewall** performing all the steps of the independent claims, but rather a proxy server or a client (page 8, 1st through 3rd paragraph).
- b. The dependent claims are not taught by the combination of Baker and Bauer (page 8, last paragraph through the end of page 9).

Regarding argument (a), examiner disagrees with applicant. The claims as originally filed never referred to the processing steps taking place specifically in a firewall. Therefore the originally rejected claims stand as rejected.

Regarding argument (b), examiner disagrees with applicant. Based on the arguments set forth by the examiner for argument (a), the dependent claims stand as rejected.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Hoffman whose telephone number is 703-305-4662. However, my new number will be 571-272-3863 after our October 25 move. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brandon Hoffman

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